

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOISJUDGE KENNELLY  
MAGISTRATE JUDGE COXCivil Cover Sheet

AEE

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the Northern District of Illinois.

**Plaintiff(s):** TRUSTEES OF THE CEMENT MASONS  
PENSION FUND, LOCAL 502, et. al.

**Defendant(s):** CONCRETE EXCAVATION REMOVAL  
LLC, an Illinois corporation

County of Residence:

County of Residence: COOK

Plaintiff's Atty: Donald D. Schwartz  
Arnold and Kadjan  
19 W. Jackson Blvd., Suite 300  
Chicago, IL 60604  
312-236-0415

Defendant's Atty:

II. Basis of Jurisdiction:

**3. Federal Question (U.S. not a party)**

III. Citizenship of Principle Parties

**(Diversity Cases Only)**

Plaintiff:- N/A

Defendant:- N/A

IV. Origin :

**1. Original Proceeding**

V. Nature of Suit:

**791 E.R.I.S.A**

VI. Cause of Action:

**This cause of action is for underfunding of various trust funds administered by the Plaintiffs and arises under Section 301 of the National Labor Relating Act, U.S.C. Chapter 7 Section 185(a) and ERISA, 29 U.S.C. Section 1132 and 1145**

VII. Requested in Complaint

Class Action: **No**

Dollar Demand:

Jury Demand: **No**

VIII. This case **is NOT** a refiling of a previously dismissed case. (If yes case number \_\_\_\_\_ by Judge \_\_\_\_\_)

Signature: \_\_\_\_\_ s/Donald D. Schwartz

Date: \_\_\_\_\_ August 6, 2008